

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

THE GROUND ROUND INDEPENDENT  
OWNERS COOPERATIVE, LLC,

Plaintiff,

v.

CHARLES WHITMAN a.k.a. Chuck  
Whitman, C.T.W. DEVELOPMENT  
CORPORATION, RESTAURANT  
CONCEPTS UNLIMITED  
CORPORATION,

Defendants.

---

Civil Action No. 1:05-cv-10780-NMG

**CHARLES WHITMAN'S MOTION  
FOR LEAVE TO FILE THIRD-  
PARTY COMPLAINT**

Defendant Charles Whitman hereby moves for an order granting him leave to file a third-party complaint against David D. Turner and Mollie J. Turner, who are or may be liable for part of the Plaintiff's claims against Mr. Whitman. In support of this Motion, Mr. Whitman relies on his Memorandum Of Law In Support Of Charles Whitman's Motion For Leave To File Third-Party Complaint filed herewith. The proposed Third-Party Complaint is attached to the Memorandum of Law as Exhibit A.

Respectfully submitted,

/s/ Stephen D. Riden

Thomas I. Elkind, Esq. (BBO # 153080)  
Stephen D. Riden, Esq. (BBO # 644451)  
FOLEY & LARDNER LLP  
111 Huntington Avenue  
Boston, Massachusetts 02199  
(617) 342-4000

Counsel for Defendants Charles Whitman a.k.a.  
Chuck Whitman, C.T.W. Development  
Corporation, and Restaurant Concepts  
Unlimited Corporation

Dated: October 31, 2005

**LOCAL RULE 7.1(A)(2) CERTIFICATION**

I certify that the provisions of Local Rule 7.1(A)(2) have been complied with and that I have conferred with Plaintiff's counsel in good faith to resolve and narrow the issues raised in Charles Whitman's Motion For Leave To File Third-Party Complaint.

/s/ Stephen D. Riden  
Stephen D. Riden

Counsel to Defendants Charles Whitman  
a.k.a. Chuck Whitman, C.T.W.  
Development Corporation, and Restaurant  
Concepts Unlimited Corporation